

1 GAYLE M. ATHANACIO (State Bar No. 130068)  
2 CHRISTINE LEPERA (admitted *pro hac vice*)  
3 SONNENSCHEN NATH & ROSENTHAL LLP  
4 525 Market Street, 26th Floor  
5 San Francisco, CA 94105-2708  
6 Telephone: (415) 882-5000  
7 Facsimile: (415) 882-0300  
8 Email: gathanacio@sonnenschein.com  
9 Email: clepera@sonnenschein.com

10 Attorneys for Defendant  
11 TEACHSCAPE, INC.

12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 LAUREATE EDUCATION, INC.,

15 Plaintiff,

16 vs.

17 TEACHSCAPE, INC.,

18 Defendant.

Case No. C 07 3225 RS

DECLARATION OF GAYLE M.  
ATHANACIO IN SUPPORT OF  
DEFENDANT TEACHSCAPE, INC.'S  
MOTION TO DISMISS FIRST AMENDED  
COMPLAINT

Date: March 19, 2008

Time: 9:30 a.m.

Ctrm: 4 (5<sup>th</sup> Floor)

Judge: The Honorable Richard Seeborg

I, Gayle M. Athanacio, declare as follows:

1. I am an attorney at law duly admitted to practice before this Court and a partner of the law firm of Sonnenschein Nath & Rosenthal LLP, counsel of record for Defendant Teachscape, Inc. ("Teachscape"). I make this declaration in support of Defendant Teachscape, Inc.'s Motion for Protective Order. I have personal knowledge of the matters set forth herein and could competently testify to them if called upon to do so.

2. Attached hereto as Exhibit A is a true and correct copy of this Court's December 12, 2007 Order Granting Motion to Dismiss, With Leave to Amend.

3. Attached hereto as Exhibit B is a true and correct copy of Plaintiff's First Amended Complaint for Injunctive Relief and Damages, with Exhibits A through C.

4. Attached hereto as Exhibit C is a true and correct copy of Plaintiffs' Complaint for Injunctive Relief and Damages.

5. Attached hereto as Exhibit D is a true and correct copy of the parties' December 12, 2007 Joint Case Management Statement.

6. Attached hereto as Exhibit E is a true and correct copy of Plaintiff Canter & Associates, LLC's Complaint for Injunctive Relief, Restitution and Damages Arising From: (1) Misappropriation of Trade Secrets; (2) Intentional Interference with Prospective Economic Relationship; (3) Intentional Interference with Contract; (4) Untrue and Misleading Advertising; and (5) Unfair Competition, which was filed by Plaintiff in the Superior Court of the State of California, City and County of San Francisco on January 23, 2008; Demand for Jury Trial (filed January 24, 2008 in San Francisco County Superior Court), and Notice of Related Cases (filed January 24, 2008 in San Francisco County Superior Court).

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed this 8<sup>th</sup> day of February, 2008, at San Francisco, California.

By: /S/  
GAYLE M. ATHANACIO

-1-